

UNITED STATES DISTRICT COURT
COMMONWEALTH OF MASSACHUSETTS

C.A. NUMBER: 05-11401-MLW

SENECA INSURANCE COMPANY
As Subrogee of Surfside Condominium
Association,

Plaintiff,

v.

BROAN-NUTONE LLC,

Defendant.

JOINT MOTION TO CONTINUE SCHEDULING CONFERENCE

Plaintiff Seneca Insurance Company and Defendant Broan-NuTone, LLC jointly move to continue the scheduling conference set for Wednesday, January 31 at 2:30 for two weeks, or until sometime thereafter as the Court desires.

As grounds, the parties state that they have tentatively agreed to a resolution dismissing the case against Broan-NuTone, LLC, pending agreement, if possible, on the form of the Stipulation of Dismissal. The parties need this additional time to allow each counsel to consult with their respective clients to obtain approval of the form of Dismissal.

If agreement is not reached by February 14, 2007, the parties shall so inform the Court.

Respectfully submitted,
BROAN-NUTONE, LLC

SENECA INSURANCE COMPANY

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